

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
v.) No. 3:08-CR-142
)
DAVID C. KERNELL,) (Phillips)

MEMORANDUM AND ORDER

On April 2, 2010, the Honorable C. Clifford Shirley, United States Magistrate Judge, filed a Report and Recommendation (“R&R”) [Doc. 131] in which he recommended to deny defendant’s Motion to Suppress Out of District Search Warrants [Doc. 116]. The parties appeared before Judge Shirley for a hearing on March 24, 2010.

This matter is presently before the court on defendant’s timely objections to the R&R [Doc. 144]. As required by 28 U.S.C. § 636(b)(1), the court has now undertaken a *de novo* review of those portions of the R&R to which defendant objects.

Defendant does not raise any new arguments in his objections, and the Court finds itself in agreement with Judge Shirley’s analysis of the legal issues. Consequently, defendant’s objections [Doc. 144] will be **OVERRULED**, the R&R [Doc. 131] will be **ACCEPTED IN WHOLE**, and the underlying motion to suppress will be **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge